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EXAMINER
SHAIFER HARRIMAN, DANT B

ART UNIT	PAPER NUMBER
2134	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspatents@senniger.com

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/807,063	SPEARE ET AL.
	Examiner	Art Unit	
	Dant B. Shaifer - Harriman	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>*23 March 2004*</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1 - 39* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1 - 39* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>*23 March 2004*</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>*See Continuation Sheet*</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :03/18/2005, 05/19/2005, 12/19/2005.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

Claim(s) 1 – 9 & 10 & 11 – 19 & 20 & 21 – 32 & 33 are rejected

under 35 U.S.C. 101 because the claimed invention is directed to

non-statutory subject matter. Claims(s) 1 – 9 & 10 & 11 – 19 & 20

& 21 – 32 & 33 are directed to an administrator defining and

applying policy restriction on a piece of data (e-mail messages).

This claimed subject matter lacks a practical application of a

judicial exception (law of nature, abstract idea, naturally occurring

phenomenon) since it fails to produce a useful, concrete and

tangible result. Specifically, the claimed subject matter does not

produce a tangible result because the claimed subject matter fails

to produce a result that is limited to having real world value rather

than a result that may be interpreted to be abstract in nature as,

for example, a thought, a computation, or manipulated data.

More specifically, the claimed subject matter provides for a

conditional statement. The independent claims above in their last

claim limitations contain a conditional statement, for example

claim #1, applying the defined policy restrictions to the piece of

data if the piece of data is to be used by a user of the subset of

the potential user. The examiner is making this statutory rejection

based on the fact that "if the user of a subset of potential users

does not use the piece of data," that the applying of the "defined

policy restrictions" will not be executed. As in nothing or nothing

tangible will result with the "piece of data," and "defined policy

restrictions" will be non-active or not being used. This produced

result remains in the abstract and, thus, fails to achieve the

required status of having real world value.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of

35 U.S.C. 102 that form the basis for the rejections under this

section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim(s) 1 – 39 are rejected under 35 U.S.C. 102(b) as being

taught by Authentica, MailRecal Published 2001.

Authentica teaches:

Claim # 1 A method for applying policy restrictions on a piece of

data, wherein the policy restrictions are automatically applied to

the piece of data, the method comprising:

- defining one or more subsets of potential users of the piece

  of data (Page 1, 2nd paragraph & Page 2, Col. 1, section "

  Dynamic Control of Information," the examiner notes that the

  "recipient" is a potential user of the piece of data);

- defining policy restrictions for the subset of potential users;

  accepting the piece of data (Page 1, 2nd paragraph & Page

  2, Col. 1, section " Dynamic Control of Information," the

  examiner notes that the Mail Recall allows the administrator

  to "establish," a policy for who can read the e-mail

  message);

- determining whether the piece of data is to be used by a

  user of the subset of potential users (Page 1, 2nd paragraph

  & Page 2, Col. 1, section " Dynamic Control of Information,"

the examiner notes that the "recipient" is a potential user of

the piece of data); and

- applying the defined policy restrictions to the piece of data if

  the piece of data is to be used by a user of the subset of the

  potential users (Page 1, 2nd paragraph & Page 2, Col. 1,

  section " Dynamic Control of Information" & Page 2, Col. 2

  section "Mail Recall Components, the examiner notes that

  the phrase " manage e – mail policies" constitutes "applying

  the defined policy restrictions to the piece of data if the piece

  of data is to be used by a user of the subset of the potential

  users").

Claim # 2 The method of claim 1 wherein

- the piece of data is an electronic mail (e-mail)

  communication(Page 1, 1st paragraph, first sentence).

Claim # 3 The method of claim 1 wherein

- the defined subset of potential users is an e-mail distribution

  list(Page 1, 2nd paragraph & Page 2, Col. 1, section "

  Dynamic Control of Information," the examiner notes that the

  "recipient" is a potential user of the piece of data,

  furthermore to one ordinary skill in the art, "recipients"

  implies a e-mail distribution list, this is how the examiner

  interprets the claim limitation above).

Claim # 4 The method of claim 1 wherein

- the defined subset of potential users is based on common user account attributes (Page 2, Col. 1, section " Dynamic Control of Information," the examiner notes that the mail recall software is able to dictate to which recipients or users can do what with the received e-mail message, for example as to a user being able to print and not being able to print).

Claim # 5 The method of claim 1 wherein

- the policy restrictions comprise restrictions on sending the piece of data to a user(Page 1, 2nd paragraph & Page 2, Col. 1 section " Dynamic Control of Information," the examiner notes that mail recall is able to restrict the printing/forwarding

of the e-mailed message and or document).

Claim # 6 The method of claim 1 wherein

- the policy restrictions comprise restrictions on saving the
  piece of data to a persistent storage medium (2, Col. 1
  section " Dynamic Control of Information," the examiner
  notes that mail recall is able to expire e-mailed message that
  have been saved on "back-up media, servers, desktops").

Claim # 7 The method of claim 1 wherein

- the policy restrictions comprise restrictions on outputting the
  piece of data to a hard-copy format (Page 1, 2nd paragraph &

Page 2, Col. 1 section " Dynamic Control of Information," the examiner notes that mail recall is able to restrict the printing of the e-mailed message and or document, furthermore the examiner notes that the restricting of the printing of the e-mailed message is what the examiner considers as a "hard – copy format").

Claim # 8 The method of claim 1 wherein

- the policy restrictions comprise restrictions on producing a copy of the piece of data (Page 1, 2nd paragraph & Page 2, Col. 1 section " Dynamic Control of Information," the examiner notes that mail recall is able to restrict the printing of the e-mailed message and or document, furthermore the examiner notes that the restricting of the printing of the e-

mailed message is what the examiner considers as a "copy

of the piece of data").

Claim # 9 The method of claim 1 wherein

- the policy restrictions comprise restrictions on accessing the

  piece of data subsequent to condition for expiration of the

  piece of data (Page 1, 2nd paragraph & Page 2, Col. 1

  section " Dynamic Control of Information," the examiner

  notes that mail recall is able to expire the e-mailed message

  at anytime during or after the recipient or user has opened

  the e-mailed message).

Claim # 10. A computer-readable medium containing instructions

for performing a method for applying policy restrictions on a piece

of data, wherein the policy restrictions are automatically applied to

the piece of data, the method comprising:

- defining one or more subsets of potential users of the piece

  of data (Page 1, 2nd paragraph & Page 2, Col. 1, section "

  Dynamic Control of Information," the examiner notes that the

  "recipient" is a potential user of the piece of data);

- defining policy restrictions for the subset of potential

  users(Page 1, 2nd paragraph & Page 2, Col. 1, section "

  Dynamic Control of Information," the examiner notes that the

  Mail Recall allows the administrator to "establish," a policy

  for who can read the e-mail message);

- accepting the piece of data(Page 1, 2nd paragraph, the

  examiner notes that the "recipient receives a message");

- determining whether the piece of data is to be used by a user of the subset of potential users(Page 2, Col. 1, section " Dynamic Control of Information," the examiner notes that the "recipient" is a potential user of the piece of data, furthermore mail recall software is able to dictate to which recipients or users can do what with the received e-mail message);

- and applying the defined policy restrictions to the piece of data if the piece of data is to be used by a user of the subset of the potential users(Page 1, 2nd paragraph & Page 2, Col. 1, section " Dynamic Control of Information" & Page 2, Col. 2 section "Mail Recall Components, the examiner notes that the phrase " manage.e – mail policies" constitutes "applying

the defined policy restrictions to the piece of data if the piece

of data is to be used by a user of the subset of the potential

users").

Claim #11. A method for applying policy restrictions on a piece of

data, wherein the policy restrictions are automatically applied to

the piece of data, the method comprising:

- defining one or more subsets of potential attributes of the

  piece of data (Page: 2, section "Active rights management

  server", diagram, the examiner notes that the examiner

  considers a computer or a server's hard drive a computer

  readable medium, to one of ordinary skill in the art, the

  "receiving company must use a computing device or

  computer to implement the Authentica Mail Recall software);

- defining policy restrictions for the subset of potential

  attributes (Page 1, 2nd paragraph & Page 2, Col. 1, section "

  Dynamic Control of Information," the examiner notes that the

  Mail Recall allows the administrator to "establish," a policy

  for who can read the e-mail message);

- accepting the piece of data (Page 1, 2nd paragraph, the

  examiner notes that the "recipient receives a message");

- determining whether the piece of data possesses an

  attribute of the subset of potential attributes (Page 1, 2nd

  paragraph & Page 2, Col. 1, section " Dynamic Control of

  Information," the examiner notes that the examiner interprets

  "determining whether the piece of data possesses an

  attribute of the subset of potential attributes," merely as the

administrator having the ability to restrict the access to the

message based on a recipients or users user attributes,

meaning for example, whether a particular recipient is able

to print the message);

- and applying the defined policy restrictions to the piece of

  data if the piece of data possesses an attribute of the subset

  of potential attributes (Page 1, 2nd paragraph & Page 2, Col.

  1, section " Dynamic Control of Information" & Page 2, Col. 2

  section "Mail Recall Components, the examiner notes that

  the phrase " manage e – mail policies" constitutes "applying

  the defined policy restrictions to the piece of data if the piece

  of data is to be used by a user of the subset of the potential

  users").

Claim # 12.The method of claim 11 wherein

- the piece of data is an e-mail communication(Page 1, 1st paragraph, first sentence).

Claim #13. The method of claim 11 wherein

- the defined subset of potential attributes is based on an author and a recipient of the piece of data (Page 1, 2nd paragraph & Page 2, Col. 1, section " Dynamic Control of Information," the examiner notes that the "recipient" is a potential user of the piece of data, furthermore to one ordinary skill in the art, "recipients" implies a e-mail distribution list, this is how a sender will distribute an e-mail efficiently to multiple intended recipients of the e-mail

message, this is how the examiner interprets the claim

limitation above, furthermore Page: 2, section "Active rights

management server", diagram, the examiner notes that the

examiner considers a sending company as the sender and

the receiving company as the recipient).

Claim #14. The method of claim 11 wherein

- the defined subset of potential attributes is based on the

  piece of data's content (Page 2, Col. 1, section " Dynamic

  Control of Information," the examiner notes that the mail

  recall software is able to dictate to which recipients or users

  can do what with the received e-mail message, for example

  as to a user being able to print and not being able to print).

Claim #15. The method of claim 11 wherein

- the policy restrictions comprise restrictions on sending the

  piece of data to a user(Page 1, 2nd paragraph & Page 2, Col.

  1 section " Dynamic Control of Information," the examiner

  notes that mail recall is able to restrict the printing/forwarding

  of the e-mailed message and or document).

Claim #16. The method of claim 11 wherein

- the policy restrictions comprise restrictions on saving the

  piece of data to a persistent storage medium (Page 2, Col. 1

  section " Dynamic Control of Information," the examiner

  notes that mail recall is able to expire e-mailed message that

have been saved on "back-up media, servers, desktops").

Claim #17. The method of claim 11 wherein

- the policy restrictions comprise restrictions on outputting the piece of data to a hard-copy format (Page 1, 2nd paragraph & Page 2, Col. 1 section " Dynamic Control of Information," the examiner notes that mail recall is able to restrict the printing of the e-mailed message and or document, furthermore the examiner notes that the restricting of the printing of the e-mailed message is what the examiner considers as a "hard – copy format").

Claim #18. The method of claim 11 wherein

- the policy restrictions comprise restrictions on producing a copy of the piece of data (Page 1, 2nd paragraph & Page 2, Col. 1 section " Dynamic Control of Information," the examiner notes that mail recall is able to restrict the printing of the e-mailed message and or document, furthermore the examiner notes that the restricting of the printing of the e-mailed message is what the examiner considers as a "copy of the piece of data").

Claim #19. The method of claim 11 wherein

- the policy restrictions comprise restrictions on accessing the piece of data subsequent to condition for expiration of the piece of data (Page 1, 2nd paragraph & Page 2, Col. 1 section " Dynamic Control of Information," the examiner notes that mail recall is able to expire the e-mailed message

at anytime during or after the recipient or user has opened

the e-mailed message).

Claim # 20. A computer-readable medium containing instructions

for performing a method for applying policy restrictions on a piece

of data, wherein the policy restrictions are automatically applied to

the piece of data, the method comprising:

- defining one or more subsets of potential attributes of the

  piece of data (Page: 2, section "Active rights management

  server", diagram, the examiner notes that the examiner

  considers a computer or a server's hard drive a computer

  readable medium, to one of ordinary skill in the art, the

  "receiving company must use a computing device or

  computer to implement the Authentica Mail Recall software);

- defining policy restrictions for the subset of potential

  attributes(Page 1, 2nd paragraph & Page 2, Col. 1, section "

  Dynamic Control of Information," the examiner notes that the

  Mail Recall allows the administrator to "establish," a policy

  for who can read the e-mail message);

- accepting the piece of data(Page 1, 2nd paragraph, the

  examiner notes that the "recipient receives a message");

- determining whether the piece of data possesses an

  attribute of the subset of potential attributes(Page 2, Col. 1,

  section " Dynamic Control of Information," the examiner

  notes that the "recipient" is a potential user of the piece of

  data, furthermore mail recall software is able to dictate to

  which recipients or users can do what with the received e-

  mail message);

- and applying the defined policy restrictions to the piece of data if the piece of data possesses an attribute of the subset of potential attributes(Page 1, 2nd paragraph & Page 2, Col. 1, section " Dynamic Control of Information" & Page 2, Col. 2 section "Mail Recall Components, the examiner notes that the phrase " manage e – mail policies" constitutes "applying the defined policy restrictions to the piece of data if the piece of data is to be used by a user of the subset of the potential users").

Claim #21. A method for applying policy restrictions on a piece of data, wherein the policy restrictions are automatically applied to the piece of data, the method comprising:

- defining one or more subsets of potential attributes of an
  environment of the piece of data(Page 2, Col. 1, section "
  Dynamic Control of Information," the examiner notes that the
  mail recall software is able to dictate to which recipients or
  users can do what with the received e-mail message, for
  example as to a user being able to print and not being able
  to print);

- defining policy restrictions for the subset of potential
  attributes(Page 1, 2nd paragraph & Page 2, Col. 1, section "
  Dynamic Control of Information," the examiner notes that the
  Mail Recall allows the administrator to "establish," a policy
  for who can read the e-mail message);

- accepting the piece of data(Page 1, 2nd paragraph, the
  examiner notes that the "recipient receives a message");

- determining whether the piece of data possesses an attribute of the subset of potential attributes(Page 2, Col. 1, section " Dynamic Control of Information," the examiner notes that the "recipient" is a potential user of the piece of data, furthermore mail recall software is able to dictate to which recipients or users can do what with the received e-mail message);

- and applying the defined policy restrictions to the piece of data if the piece of data possesses an attribute of the subset of potential attributes(Page 1, 2nd paragraph & Page 2, Col. 1, section " Dynamic Control of Information" & Page 2, Col. 2 section "Mail Recall Components, the examiner notes that the phrase " manage e – mail policies" constitutes "applying the defined policy restrictions to the piece of data if the piece

of data is to be used by a user of the subset of the potential

users").

Claim #22. The method of claim 21 wherein

- the piece of data is an e-mail communication(Page 1, 1st

  paragraph, first sentence).

Claim #23. The method of claim 21 wherein

- the defined subset of potential attributes is based on a time

  of day (Page 1, 2nd paragraph & Page 2, Col. 1 section "

  Dynamic Control of Information," the examiner notes that

  mail recall is able to expire the e-mailed message on any

  given date or time of day).

Claim #24. The method of claim 21 wherein

- the defined subset of potential attributes is based on a date
  (Page 1, 2nd paragraph & Page 2, Col. 1 section " Dynamic
  Control of Information," the examiner notes that mail recall is
  able to expire the e-mailed message on any given date).

Claim #25. The method of claim 21 wherein

- the defined subset of potential attributes is based on network
  traffic conditions(Page:2, section "Complete Tracking of
  Message Activity," the examiner notes that the Authentica
  Mail Recall, is able to monitor the activity of the e-mailed
  message based on network conditions).

Claim #26. The method of claim 21 wherein

- the defined subset of potential attributes is based on a recipient of the piece of data being on-line when accessing the piece of data (Page 2, section: " Easy Deployment," the examiner notes that the order for the recipient or user to send and receive and encrypt and decrypt incoming/outgoing messages, to one of ordinary skill in the art, the user or recipient must be on-line in order to send and receive protected messages).

Claim #27. The method of claim 21 wherein

- the defined subset of potential attributes is based on a system configuration of a recipient of the piece of data(Page 2, Col.1 & 2 section "Easy Deployment," the examiner notes that if the user or recipient doesn't have the correct

Authentica Mail Recall components to send and receive

protected messages, then Authentica Mail Recall will install

them for the user or recipient).

Claim # 28. The method of claim 21 wherein

- the policy restrictions comprise restrictions on sending the

  piece of data to a user (Page 1, 2nd paragraph & Page 2,

  Col. 1 section " Dynamic Control of Information," the

  examiner notes that mail recall is able to restrict the

  printing/forwarding of the e-mailed message and or

  document).

Claim #29. The method of claim 21 wherein

- the policy restrictions comprise restrictions on saving the

  piece of data to a persistent storage medium(Page 2, Col. 1

  section " Dynamic Control of Information," the examiner

  notes that mail recall is able to expire e-mailed message that

  have been saved on "back-up media, servers, desktops").

Claim #30. The method of claim 21 wherein

- the policy restrictions comprise restrictions on outputting the

  piece of data to a hard-copy format (Page 1, 2nd paragraph &

  Page 2, Col. 1 section " Dynamic Control of Information," the

  examiner notes that mail recall is able to restrict the printing

  of the e-mailed message and or document, furthermore the

  examiner notes that the restricting of the printing of the e-

  mailed message is what the examiner considers as a "hard –

copy format").

Claim #31. The method of claim 21 wherein

- the policy restrictions comprise restrictions on producing a
  copy of the piece of data (Page 1, 2nd paragraph & Page 2,
  Col. 1 section " Dynamic Control of Information," the
  examiner notes that mail recall is able to restrict the printing
  of the e-mailed message and or document, furthermore the
  examiner notes that the restricting of the printing of the e-
  mailed message is what the examiner considers as a "copy
  of the piece of data").

Claim #32. The method of claim 21 wherein

- the policy restrictions comprise restrictions on accessing the

  piece of data subsequent to condition for expiration of the

  piece of data (Page 1, 2nd paragraph & Page 2, Col. 1

  section " Dynamic Control of Information," the examiner

  notes that mail recall is able to expire the e-mailed message

  at anytime during or after the recipient or user has opened

  the e-mailed message).

Claim #33. A computer-readable medium containing instructions

for performing a method for applying policy restrictions on a piece

of data, wherein the policy restrictions are automatically applied to

the piece of data, the method comprising:

- defining one or more subsets of potential attributes of an

  environment of the piece of data(Page: 2, section "Active

  rights management server", diagram, the examiner notes

that the examiner considers a computer or a server's hard

drive a computer readable medium, to one of ordinary skill in

the art, the "receiving company must use a computing device

or computer to implement the Authentica Mail Recall

software);

- defining policy restrictions for the subset of potential

  attributes(Page 1, 2nd paragraph & Page 2, Col. 1, section "

  Dynamic Control of Information," the examiner notes that the

  Mail Recall allows the administrator to "establish," a policy

  for who can read the e-mail message);

- accepting the piece of data(Page 1, 2nd paragraph, the

  examiner notes that the "recipient receives a message");

- determining whether the piece of data possesses an attribute of the subset of potential attributes(Page 2, Col. 1, section " Dynamic Control of Information," the examiner notes that the "recipient" is a potential user of the piece of data, furthermore mail recall software is able to dictate to which recipients or users can do what with the received e-mail message);

- and applying the defined policy restrictions to the piece of data if the piece of data possesses an attribute of the subset of potential attributes(Page 1, 2nd paragraph & Page 2, Col. 1, section " Dynamic Control of Information" & Page 2, Col. 2 section "Mail Recall Components, the examiner notes that the phrase " manage e – mail policies" constitutes "applying the defined policy restrictions to the piece of data if the piece of data is to be used by a user of the subset of the potential

users").

Claim #34. A method for creating policy restrictions to be automatically applied to a piece of data, the method comprising:

- defining one or more subsets of potential users of the piece of data(Page 1, 2nd paragraph & Page 2, Col. 1, section " Dynamic Control of Information," the examiner notes that the "recipient" is a potential user of the piece of data); and

- defining policy restrictions for the subset of potential users(Page 1, 2nd paragraph & Page 2, Col. 1, section " Dynamic Control of Information," the examiner notes that the Mail Recall allows the administrator to "establish," a policy for who can read the e-mail message).

Claim # 35.A computer-readable medium containing instructions

for performing a method for creating policy restrictions to be

automatically applied to a piece of data, the method comprising:

- defining one or more subsets of potential users of the piece

  of data (Page: 2, section "Active rights management server",

  diagram, the examiner notes that the examiner considers a

  computer or a server's hard drive a computer readable

  medium, furthermore Page 1, 2nd paragraph & Page 2, Col.

  1, section " Dynamic Control of Information," the examiner

  notes that the "recipient" is a potential user of the piece of

  data); and

- defining policy restrictions for the subset of potential

  users(Page 1, 2nd paragraph & Page 2, Col. 1, section "

  Dynamic Control of Information," the examiner notes that the

Mail Recall allows the administrator to "establish," a policy

for who can read the e-mail message).

Claim # 36. A method for creating policy restrictions to be

automatically applied to a piece of data, the method comprising:

- defining one or more subsets of potential attributes of the

  piece of data(Page 2, Col. 1, section " Dynamic Control of

  Information," the examiner notes that the mail recall software

  is able to dictate to which recipients or users can do what

  with the received e-mail message, for example as to a user

  being able to print and not being able to print); and

- defining policy restrictions for the subset of potential

  users(Page 1, 2nd paragraph & Page 2, Col. 1, section "

  Dynamic Control of Information," the examiner notes that the

Mail Recall allows the administrator to "establish," a policy

for who can read the e-mail message).

Claim #37. A computer-readable medium containing instructions

for performing a method for creating policy restrictions to be

automatically applied to a piece of data, the method comprising:

- defining one or more subsets of potential attributes of the

  piece of data(Page: 2, section "Active rights management

  server", diagram, the examiner notes that the examiner

  considers a computer or a server's hard drive a computer

  readable medium, to one of ordinary skill in the art, the

  "receiving company must use a computing device or

  computer to implement the Authentica Mail Recall software);

  and

- defining policy restrictions for the subset of potential users(Page 1, 2nd paragraph & Page 2, Col. 1, section " Dynamic Control of Information," the examiner notes that the Mail Recall allows the administrator to "establish," a policy for who can read the e-mail message).

Claim # 38. A method for creating policy restrictions to be automatically applied to a piece of data, the method comprising:

- defining one or more subsets of potential attributes of an environment of the piece of data(Page 2, Col. 1, section " Dynamic Control of Information," the examiner notes that the mail recall software is able to dictate to which recipients or users can do what with the received e-mail message, for example as to a user being able to print and not being able to print); and

- defining policy restrictions for the subset of potential

  users(Page 1, 2nd paragraph & Page 2, Col. 1, section "

  Dynamic Control of Information," the examiner notes that the

  Mail Recall allows the administrator to "establish," a policy

  for who can read the e-mail message).

Claim # 39. A computer-readable medium containing instructions

for performing a method for creating policy restrictions to be

automatically applied to a piece of data, the method comprising:

- defining one or more subsets of potential attributes of an

  environment of the piece of data(Page: 2, section "Active

  rights management server", diagram, the examiner notes

  that the examiner considers a computer or a server's hard

  drive a computer readable medium, to one of ordinary skill in

the art, the "receiving company must use a computing device

or computer to implement the Authentica Mail Recall

software); and

- defining policy restrictions for the subset of potential

    users(Page 1, 2nd paragraph & Page 2, Col. 1, section "

    Dynamic Control of Information," the examiner notes that the

    Mail Recall allows the administrator to "establish," a policy

    for who can read the e-mail message).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dant B. Shaifer - Harriman whose telephone number is

571-272-7910. The examiner can normally be reached on Monday - Thursday: 8:00am

- 5:30pm Alt.Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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12/10/2007

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